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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 3/5/07

UNITED STATES OF AMERICA,)	No. CR 05-00812 RMW
)	
Plaintiff,)	<input type="checkbox"/>
)	ORDER EXCLUDING TIME
v.)	
)	
SUIBIN ZHANG,)	
)	
Defendant.)	
)	

1. The parties appeared on February 26, 2007 for a status conference. The parties advised the Court that, given the volume of discovery, including electronic discovery, the defense would need additional time in order to effectively prepare the case for trial or resolution.

2. The parties requested a continuance until April 16, 2007 and agreed that such time should be excluded from the Speedy Trial clock. The parties advised the Court that this case is deemed "complex" within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii), based on the volume of electronic discovery, the nature of the allegations contained in the indictment, and the need for both parties to consult with, and for the defense to retain, expert witnesses in preparation for a possible trial.

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☐ ORDER RE: EXCL.
OF TIME [CR 05-00812 RMW]

3. Accordingly, and with the explicit agreement of the parties in open court, this Court scheduled the next appearance to occur on **April 16, 2007**, at 9:00 a.m., before The Honorable Ronald M. Whyte, United States District Judge.

Based upon the foregoing representations made by the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED that the time between February 26, 2007 and April 16, 2007 — a total of 49 days — shall be excluded from the computation of the period within which the trial of this matter must commence, for the reasons set forth by the parties in open court. The Court finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial based upon the grounds set forth above and finds that the time is appropriately excluded pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B)(i) and (ii).

IT IS SO ORDERED.

DATED: 3/5/07



RONALD M. WHYTE
United States District Judge

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